



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q76361

Shigeo YAMAZAKI, et al.

Appln. No.: 10/614,000

Group Art Unit: 2127

Confirmation No.: 6265

Examiner: Not Assigned

Filed: July 08, 2003

For: **FAULT-TOLERANT COMPUTER SYSTEM, RE-SYNCHRONIZATION METHOD THEREOF AND RE-SYNCHRONIZATION PROGRAM THEREOF**

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents along with a copy of a corresponding European Search Report dated November 7, 2003 is enclosed herewith.

1. European Patent Specification Publication No. 1 029 267, published March 23, 2002.
2. U.S. Patent No. 5,020,024 issued May 28, 1991.
3. U.S. Patent No. 5,956,474 issued September 21, 1999.
4. U.S. Patent No. 6,141,770 issued October 31, 2000.

Shigeo YAMAZAKI et al.  
10/614,000  
INFORMATION DISCLOSURE STATEMENT

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Respectfully submitted,



Howard L. Bernstein  
Registration No. 25,665

Date: January 8, 2004

Substitute for Form 1449-A &amp; B/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

|                        |                 |
|------------------------|-----------------|
| Application Number     | 10/614,000      |
| Confirmation Number    | 6265            |
| Filing Date            | July 08, 2003   |
| First Named Inventor   | Shigeo YAMAZAKI |
| Art Unit               | 2127            |
| Examiner Name          | Not Assigned    |
| Attorney Docket Number | Q76361          |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
|                    |                       | Number          | Kind Code <sup>2</sup><br>(if known) |                                |   |
|                    |                       | US 5,020,024    | A                                    | 05/28/1991                     | Williams  |
|                    |                       | US 5,956,474    | A                                    | 09/21/1999                     | Bissett et al.                                  |
|                    |                       | US 6,141,770    | A                                    | 10/31/2000                     | Fuchs et al.                                    |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |
|                    |                       | US              |                                      |                                |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   |                     |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation <sup>6</sup> |
|--------------------|-----------------------|---------------------------|---------------------|--------------------------------------|--------------------------------|---|--------------------------|
|                    |                       | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |                                |   |                          |
|                    |                       | EP                        | 1 029 267           | B1                                   | 03/23/2002                     | Marathon Technologies Corporation               |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------|
|                    |                       |  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.